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10/674,578

09/29/2003

Andre Lischack

10191/3325

5405

26646 7590 10/11/2007  
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| EXAMINER |
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VU, HIEN D

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| ART UNIT | PAPER NUMBER |
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2833

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10/11/2007

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

uspto@kenyon.com

## Office Action Summary

Application No.

10/674,578

Applicant(s)

LISCHECK ET AL.

Examiner

Hien D. Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1-7 are rejected under 35 U.S.C. 112; first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The previous and newly amendments in claim 1, lines 15-16, "in direct proximity ... and contact point" and claim 5, lines 14-16, "which maintains contact ... one contact point" are unclear since such features were not originally described in the specification and therefore such features consider new matters and should be deleted. In addition, it is unclear how the knife blade could maintain contact with both the contact segment and the contact point. It appears that the blade could only maintain contact with the contact point only.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Risser et al (878) in view of Stanevich (417).

Insofar as the claims can be understood, Risser, figs. 1-3 show an inner contact part 14, a spring element 28, an attachment part 20, a center segment 14 and a contact segment 22 having a contact part having at least three contact lamellae 24 pointing away from the center segment 14, each contact lamellae having a contact point (not labeled), a blade 48, and the free ends of the contacts being freely movable. Risser does not show after further insertion of the blade, the free ends configured to rest against the spring element and the contact lamellae configured to deform. Stanevich, Figs. 7-8 show after further insertion of a blade 11, free ends 20 of contact lamellae 17,18 configured to rest against a spring element 14 and the contact lamellae configured to deform. It would have been to one with skill in the art to modify the connector of Risser by forming the contact lamellae and the spring element with a similar shape as the contact lamellae and the spring element of Stanevich, as taught by Stanevich, in order to provide better connection and to improve conductivity between the blade and the contact lamellae. It is noted that the free ends of the contact lamellae configure to rest against the spring element and appear in direct proximity to the contact point 24 with the knife blade 11 maintaining contact with the contact point.24 as shown in Fig. 7 of Stanevich.

As to claim 2, the contact lamellae are formed in the shape of fingers and are only connected to each other at an end pointing to the center segment.

As to claim 3, support elements 30 situated at a section of the spring element 28, which read as the recited the external retention spring.

As to claim 4, the external retention spring substantially completely surrounds the contact part.

As to claims 5-7, the claims have substantial similar features as claims 1-3; therefore, they are rejected under the similar rationale.

5. Applicant's arguments filed 4/30/07 have been fully considered but they are not persuasive.

In response to applicant's remarks stated that "original Figure 1 shows a contact lamellae 7 inserted into a retention spring 3 such that free ends 7' are adjacent a retention spring entrance port for a knife blade 14 and the Specification at p. 4, line 32 to p. 5, line 8 states that upon insertion of the knife blade 14 the contact lamellae 7 expand to a maximum position, at which they rest against the inside of external retention spring 3, and that the contact lamellae 7 give way in the direction of the entrance port for the knife blade prior to running up against the limiting elements of the entrance port of external retention spring 3. Therefore, the Specification makes absolutely clear that the free ends 7' of the contact lamellae 7 are configured to come to rest against the spring element 3 upon insertion of the knife blade 14, as required by claims 1 and 5. The Specification makes equally clear where the free ends 7' come to rest, i.e., in contact with the spring element 3 and in direct proximity to the at least one contact point 10, as further required by claims 1 and 5. In this regard the Specification states at p. 4, lines 17 to 19 that the contact lamellae 7 have a contact region 9,

including a contact point 10, used to produce an electrical connection with the knife blade 14. As can be seen in original Figure 2, the contact region 9, including contact point 10, is in direct proximity to the free ends 7' of the contact lamellae 7". The Examiner agrees some portion but disagrees some portion. First of all the original Fig.1 does not show free ends 7' are adjacent a retention spring entrance port for a knife blade 14 and the original Fig.2 does not show the contact region 9, including contact point 10, is in direct proximity to the free ends 7' of the contact lamellae 7. Secondly, the specification at page 32 appears to be page 31 and page 5, lines 1-8 state that "Upon insertion of a knife blade into electrical connector 1, contact lamellae 7 expand to a maximum position, at which they rest against the inside of external retention spring 3. If electrical connector 1 is slipped onto a knife blade at an angle, it is possible for individual contact lamellae 7 to give way, so that a wide opening is produced for receiving the knife blade. Because contact lamellae 7 rest against external retention spring 3, the contact lamellae must, in the event of further expansion of the contact lamellae clearance, give way in the direction of the entrance port for the knife blade prior to running up against the limiting elements of the entrance port of external retention spring 3, which stop the way of any further deformation"; therefore, the Specification does not makes clearly where the free ends 7' come to rest in the spring element 3 being in direct proximity to the at least one contact point 10.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention

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where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the motivation for the rejection is found in the knowledge generally available to one of ordinary skill in the art.

The other remarks appear to be fully addressed in the rejection above.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication should be directed to Hien D. Vu at telephone number 571-272-2016.

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HV

9/29/07

A handwritten signature in cursive script, appearing to read "Hienvu".

HIENVU  
PRIMARY EXAMINER